

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS WOODS,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 06-1590
v.	)	District Judge Nora Barry Fischer
	)	
LARRY J. MEDLOCK, et al.,	)	
	)	
Defendants.	)	
	)	
	)	

**MEMORANDUM ORDER**

The above captioned case was initiated on November 29, 2006 and referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 17), filed on December 10, 2007, recommended that Defendants' Motion to Dismiss (doc. no. 12) be granted as to Defendants Brownfield, Vicities, Hardy, Zimmerlink, and John Doe No. 4 - County Prison Board and denied as to Defendants Medlock, Croftcheck, John Doe No. 1 - Officer J.R., Jane Doe No. 1 - Correctional Lieutenant, John Doe No. 2 - Maintenance Supervisor, and Jane Doe No. 3 - Prison Counselor. The parties were served with the Report and Recommendation and advised that they were allowed until December 27, 2007 to file written objections. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following


order is entered:

**AND NOW**, this 9<sup>th</sup> day of January, 2008;

**IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss (doc. no. 12) is **GRANTED** as to Defendants Brownfield, Vicities, Hardy, Zimmerlink, and John Doe No. 4 - County Prison Board and **DENIED** as to Defendants Medlock, Croftcheck, John Doe No. 1 - Officer J.R., Jane Doe No. 1 - Correctional Lieutenant, John Doe No. 2 - Maintenance Supervisor, and Jane Doe No. 3 - Prison Counselor.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Judgment on the Pleadings (doc. no. 16) is **DISMISSED WITHOUT PREJUDICE** to refiling as a motion for summary judgment in accordance with the procedures and deadlines set forth in a case management order to be issued by Magistrate Judge Lenihan.

**IT IS FURTHER ORDERED** that the Report and Recommendation (doc. no. 17) of Magistrate Judge Lenihan, dated December 10, 2007, is **ADOPTED** as the Opinion of the court.

  
Nora Barry Fischer  
United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

Thomas E. Woods  
DE-4522  
SCI Graterford  
PO Box 244  
Graterford, PA 19426

Counsel of Record